

REMARKS

Applicant respectfully asks for reconsideration of both this application and the outstanding Office Action dated April 21, 2006. A response to this office Action was due by July 21, 2006. Accordingly, Applicant is concurrently filing a Petition for a three month extension of time. Please consider this Amendment as timely filed.

Applicant gratefully acknowledges the second interview granted by the Examiner and his supervisor. The remarks in this Amendment are presented in accordance with the substance of that interview.

I. Summary of Claims

Claims 1-21 have been cancelled in a prior amendment. Claims 22-38 currently are pending, and claims 22, 28 and 33 are amended herein.

The following claim rejections were submitted by the Examiner in the outstanding Office Action:

- Claims 22, 28 and 33 were rejected under 35 U.S.C. §112, second paragraph, for purportedly being indefinite; and
- Claims 22-38 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Number 5,787, 288to Nagata, et al.

II. Rejection Under 35 U.S.C. §112, Second Paragraph

With respect to the rejection under 35 U.S.C. §112, second paragraph, Applicant

respectfully traverses this rejection, but courteously points out that this rejection is now moot. Applicant has amended claim 22 herein to omit the term “said remapped data” that was objected to by the Examiner. Further, Applicant has amended claims 22, 28, and 33 herein to omit the phrase “can be” that was objected to by the Examiner. As Applicant has amended each of the rejected claims to remove the basis of the rejection under 35 U.S.C. §112, second paragraph, it is therefore requested that this rejection be withdrawn.

III. Rejection Under 35 U.S.C. §102(b) Over Nagata et al.

Applicant respectfully traverses the rejection of claims 22-38 under 35 U.S.C. §102(b) over the Nagata et al. patent, and asks for reconsideration of this rejection.

In response to the earlier personal interview granted by the Examiner on December 13, 2005, Applicant presented new claims 22-38 to include language relating to remapping information for remapping the data used by a new version of a vending machine control program. As discussed in detail during Applicant’s more recent interview with the Examiner, these features of the invention are not taught or suggested by the Nagata et al. patent.

That is, nothing in the Nagata et al. patent would teach or suggest remapping the data in a vending machine that will be used by the vending machine’s control program. Instead, the Nagata et al. patent only discloses updating a control program for a vending machine. For example, at column 7, lines 32-37, the Nagata et al. patent teaches renewing the *apparatus control program*. (See the Nagata et al. patent, column 7, lines 35-36, *emphasis added*.) Similarly, the Nagata et al. patent teaches:

[a] memory area A [that] stores a program renew utility which is used when renewing the *apparatus control program* with a write-inhibit code (e.g., “1”) while the memory area B stores the *apparatus control program*. (*Id.*, lines 44-48, *emphasis added.*)

Thus, the Nagata et al. patent does not teach or suggest any update relating to the data used by a vending machine’s control program, much less revising the map used to determine which data is used by a vending machine’s control program.

Accordingly, as discussed during the personal interview with the Examiner, Applicant again respectfully submits that the Nagata et al. patent does not teach or suggest the features of the invention recited in any of new claims 22-38. Applicant therefore asks that the rejection of claims 22-38 be withdrawn.

VII. Conclusion

It is believed that this Amendment is being timely filed by electronic transmission. Should any additional fees be necessary for consideration and entry of this Amendment, or to otherwise maintain the pendency of this application, including any fees under 37 C.F.R. §1.16 or §1.17, the Commissioner is requested to charge such fees to Deposit Account No. 19-0733. If anything further is desirable to place the application in even better form for allowance, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

In view of the foregoing, Applicant respectfully submits that all claims are in condition for allowance. Applicant therefore courteously asks that the outstanding rejections be withdrawn

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and that this application now be allowed. Favorable action in this regard is courteously requested at the Examiner's earliest convenience.

Respectfully submitted,

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